

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### STATE BOARD OF COSMETOLOGY

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 10, State Board of Cosmetology  
**Articles and their headings:** 1, General Provisions  
2, Schools  
4, Salons  
  
**Section numbers:** R4-10-101, R4-10-104, R4-10-105, R4-10-106, Table 1, R4-10-107, R4-10-108, R4-10-109, R4-10-110, R4-10-111, R4-10-112, R4-10-113, R4-10-114, R4-10-115, R4-10-201, R4-10-401, R4-10-402, R4-10-403, R4-10-404, R4-10-405
2. **Subject matter of the proposed rule:**  
A.R.S. §§ 41-1072 through 41-1078 require all state agencies, boards, and commissions that are subject to the Administrative Procedure Act to establish by rule, time-frames for licensing activities. The proposed rules set forth requirements for an initial and renewal application for a cosmetologist, an aesthetician, a nail technologist, an instructor, a salon, of a school license and establish time-frames for issuing or denying the licenses. The Board is also adding or amending definitions to clarify terms used within the proposed rules. Some sections are being renumbered due to the addition of new sections. In addition to the specific sections mentioned above, the Board will amend any other sections that require conforming changes because of the proposed rulemaking.
3. **A Citation to all published notices relating to the proceeding:**  
Not Applicable
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Sue Sansom  
Address: State Board of Cosmetology  
1721 East Broadway  
Tempe, Arizona 85282  
  
Telephone Number: (602) 784-4539  
Facsimile Number: (602) 255-3680
5. **The time during which the agency will accept written comments and The time and place where oral comments may be made:**  
The Board will continue to accept written comments at the location listed above between 8 a.m. and 5 p.m., Monday through Friday, until the close of record. The Board will schedule oral proceedings, within the statutory mandated time-frame, which will be noticed by publication in the *Arizona Administrative Register*.
6. **A timetable for agency decisions or other action in the proceeding:**  
Unknown.

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF PHARMACY

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Articles and their headings:** 1, Administration  
7, Non-Pharmacy Licensed Outlets - General Provisions  
  
**Section numbers:** R4-23-110, R4-23-704, R4-23-706, R4-23-707, R4-23-708, R4-23-709

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

**2. Subject matter of the proposed rule:**

The rule seeks to repeal the Sections R4-23-704, R4-23-706, R4-23-707, R4-23-708, and R4-23-709. These Sections establish requirements for medical facilities in industrial and business organizations. The present rules were last amended more than 20 years ago and the need for Board of Pharmacy oversight no longer exists. Because of a lack of manpower, the Board has not actively enforced these rules in more than 10 years. The rule amends Section R4-23-110 by striking the following definitions: "first-aid stations", "industrial medical stations", "occupational health", and "industrial medicine". These definitions are only used in the Sections being repealed and are no longer necessary.

**The agency docket number, if applicable:**

R9803

**3. A Citation to all published notices relating to the proceeding:**

None

**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Dean Wright, Compliance Officer

Address: Arizona Board of Pharmacy  
5060 N. 19th Avenue, Suite 101  
Phoenix, Arizona 85015

Telephone Number: (602) 255-5125 Ext. 131

Facsimile Number: (602) 255-5740

**5. The time during which the agency will accept written comments:**

The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.

**The time and place where oral comments may be made:**

Time: Monday through Friday, 8 a.m. to 4:30 p.m.

Location: Arizona Board of Pharmacy  
5060 N. 19th Avenue, Suite 101  
Phoenix, Arizona 85015

Nature: Oral comments

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

**6. A timetable for agency decisions or other action in the proceeding:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)  
ADMINISTRATION**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 22, Arizona Health Care Cost Containment System (AHCCCS) - Administration  
**Articles and their headings:** 1, Definitions  
2, Scope of Services  
4, Contracts, Administration, and Standards  
6, Contracting for Hospitalization and Medical Care Services  
7, Standards for Payments

**Section numbers:** To be determined

**2. The subject matter of the proposed rule:**

This package is being opened to make the rules comply with the Balanced Budget Act of 1997 and with the AHCCCS Omnibus Statute passed during the 1981 Legislative Session.

**3. A citation to all published notices relating to the proceeding:**

None.

**4. The name and address of agency personnel with whom a person may communicate regarding the rule:**

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

Name: Cheri Tomlinson

Address: AHCCCS Administration  
Office of Policy Analysis and Coordination  
801 East Jefferson Street, Mail Drop 4200  
Phoenix, Arizona 85034

Telephone: (602) 417-4198

Fax: (602) 256-6756

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated above. Public hearings will be scheduled later to provide a forum for interactive discussion with stakeholders.
6. **A timetable for agency decisions or other action in the proceeding:**  
The Administration anticipates filing a proposed rulemaking package in October 1998 and holding a public hearing in December 1998.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)  
ARIZONA LONG-TERM CARE SYSTEM**

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 28, Arizona Health Care Cost Containment System (AHCCCS) - Arizona Long-Term Care System  
**Articles and their headings:** 1, Definitions  
5, Program Contractor and Provider Standards  
6, Program Contract and Procurement Process  
7, Standards for Payments

**Section numbers:** To be determined

2. **The subject matter of the proposed rule:**  
This package is being opened to make the rules comply with the Balanced Budget Act of 1997 and with the AHCCCS Omnibus Statute passed during the 1998 Legislative Session.
3. **A citation to all published notices relating to the proceeding:**  
None.

4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**

Name: Cheri Tomlinson

Address: AHCCCS Administration  
Office of Policy Analysis and Coordination  
801 East Jefferson Street, Mail Drop 4200  
Phoenix, Arizona 85034

Telephone: (602) 417-4198

Fax: (602) 256-6756

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated above. Public hearings will be scheduled later to provide a forum for interactive discussion with stakeholders.
6. **A timetable for agency decisions or other action in the proceeding:**  
The Administration anticipates filing a proposed rulemaking package in October 1998 and holding a public hearing in December 1998.

Notices of Rulemaking Docket Openings

NOTICE OF RULEMAKING DOCKET OPENING

OIL AND GAS CONSERVATION COMMISSION

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 7, Oil and Gas Conservation Commission  
**Article and its heading:** 1, Oil, Gas, Helium, and Geothermal Resources  
  
**Section numbers:** R12-7-121 and R12-7-125
2. **The subject matter of the proposed rule:**  
R12-7-121 specifies completion and filing requirements for wells. R12-7-125 specifies requirements when, drilling, testing, injection or production operations are suspended for 60 or more days.
3. **A citation to all published notices relating to the proceeding:**  
None.
4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**  
Name: Steven L. Rauzi, Oil & Gas Program Administrator  
  
Address: Arizona Geological Survey  
416 West Congress, Suite 100  
Tucson, Arizona 85701-1315  
  
Telephone: (520) 770-3500  
Fax: (520) 770-3505
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written and oral comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., at the location listed in question #4.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION  
MOTOR VEHICLE DIVISION

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Administration, Motor Vehicle Division  
**Subchapter and its heading, if applicable:** N/A  
**Articles and their headings:** 2, Titles and Registration  
**Part and its heading, if applicable:** N/A  
**Section numbers:** R17-4-219
2. **The subject matter of the proposed rule:**  
The Motor Vehicle division proposes to repeal existing R17-4-219 and promulgate a new R17-4-219 which reflects changes in the procedures for issuance of Temporary Registration Plates for recently purchased new or used vehicles.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **The name and address of agency personnel with whom a person may communicate regarding the rule:**  
Name: Glenn C. Johnson  
  
Address: Department of Transportation  
4747 North 7th Avenue, 3rd Floor  
Phoenix, Arizona  
  
Telephone: (602) 255-7737  
Fax: (602) 241-1624
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written and oral comments will be accepted Monday through Friday, 8 a.m. to 5:00 p.m., at the location listed in question #4.
6. **A timetable for agency decisions or other action in the proceeding:**

**Arizona Administrative Register**  
**Notices of Rulemaking Docket Openings**

To be determined.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY**

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 1, Department of Environmental Quality Administration  
**Article and its heading:** Article 5. Licensing Time Frames (new Article)  
**Section numbers:** R18-1-501 through R18-1-525. *(Section numbers may be added, deleted, or modified during this rulemaking to address the subject matter in question #2 below. Article 5 will include Tables identifying license categories and corresponding licensing requirements.)*
2. **The subject matter of the proposed rules:**  
The Department will propose these rules to implement the statutory requirements located at A.R.S. §§ 41-1072 through 41-1078 which were added by Laws 1996, Chapter 102, §§ 42 and 43. The proposed rule will affect the Department and applicants for environmental licenses subject to time-frame requirements under A.R.S. §§ 41-1072 through 41-1078.
3. **A citation to all published notices relating to the proceeding:**  
3 A.A.R. 1878, July 11, 1997
4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: David Armacost or Martha Seaman  
Address: 3033 North Central Avenue  
Phoenix, Arizona 85012  
  
Telephone: (602) 207-2222  
Fax: (602) 207-2251
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Notice of Proposed Rulemaking will announce the time and place for submitting written and oral comments concerning this rulemaking. The Department will accept written comments during the public comment period and oral comments at 1 or more oral proceedings to be held within the statutorily mandated time-frame as scheduled in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
The Department expects to file the Notice of Proposed Rulemaking by October 1998 announcing 1 or more oral proceedings and the date of the close of the comment period.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA DEPARTMENT OF INSURANCE**

1. **Title and its heading:** 20, Commerce, Banking and Insurance  
**Chapter and its heading:** 6, Department of Insurance  
**Articles and their headings:** 1, Hearing Procedures  
**Section numbers:** R20-6-101 and R20-6-160
2. **Subject matter of the proposed rule:**  
The proposed rule specifies the information that must be in a petition for a rulemaking. Under A.R.S. 41-1033, an agency has the authority to prescribe the form and manner of the petition.
3. **A citation to all published notices relating to the proceeding:**  
No previous publications.
4. **The name and address of agency personnel with whom person may communicate regarding the rule:**  
Name: Vista Thompson Brown  
Address: Arizona Department of Insurance  
2910 N. 44th Street, Suite 210  
Phoenix, Arizona 85018  
  
Telephone: (602) 912-8456  
Fax: (602) 912-8452

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

5. **The time during which written submission may be made and the time and place where oral comments may be made:**  
The Department invites and will accept written comment during regular business hours at the address listed in question #4 from now until the close of the record, which has not yet been scheduled.
6. **A timetable for agency decisions or other action in the proceeding:**  
The Department expects to propose these rules by November of 1998.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA DEPARTMENT OF INSURANCE**

1. **Title and its heading:** 20, Commerce, Banking and Insurance  
**Chapter and its heading:** 6, Department of Insurance  
**Articles and their headings:** 11, Medicare Supplemental Insurance  
**Section numbers:** R20-6-1102, R20-6-1102.01, R20-6-1104, R20-6-1106, R20-6-1108, R20-6-1113, R20-6-1121; Appendix B and Appendix F
2. **Subject matter of the proposed rule:**  
To conform to changes prescribed by the federal Health Care Finance Administration, the rules governing Medicare supplemental insurance will be amended to: 1) add new definitions; 2) add 2 new high deductible plans; 3) clarify open enrollment eligibility; and 4) add a new rule for guaranteed issue for eligible persons. Federal law requires the state to have effective rules by April 29, 1999.  
  
The Department plans to also amend the rules to include the most recent HCFA adjustments to deductibles for this type of insurance. Depending on when HCFA publishes the new deductibles, the Department may be able to combine the rule additions and the new deductibles in 1 rulemaking package.
3. **A citation to all published notices relating to the proceeding:**  
Not applicable.
4. **The name and address of agency personnel with whom person may communicate regarding the rule:**  
Name: Vista Thompson Brown  
Address: Arizona Department of Insurance  
2910 N. 44th Street, Suite 210  
Phoenix, Arizona 85018  
Telephone: (602) 912-8456  
Fax: (602) 912-8452
5. **The time during which written submission may be made and the time and place where oral comments may be made:**  
The Department invites and will accept written comment during regular business hours at the address listed in question #4 from now until the close of the record, which has not yet been scheduled.
6. **A timetable for agency decisions or other action in the proceeding:**  
The Department must have effective rules by April 1999, and expects to file proposed rules no later than November 1998.